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11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 CHRISTOPHER L. BIRD, ) Case No. 3:10-cv-00649-RCJ-VPC  
14 Plaintiff, )  
15 vs. )  
16 RECONTRUST COMPANY, N.A., )  
17 BAC HOME SERVICING, LP, a )  
18 subsidiary of BANK OF )  
19 AMERICA, N.A., f/k/a )  
20 COUNTRYWIDE HOME LOANS )  
21 SERVICING LP, MORTGAGE )  
22 ELECTRONIC REGISTRATION ) JUDGMENT  
23 SYSTEMS, INC., JOHN DOES )  
24 1 through 10; and DOE )  
25 CORPORATIONS 1 through 10, )  
26 Defendants. )  
27 \_\_\_\_\_ )  
28

29 The Court having rendered its Findings of Fact and  
30 Conclusions of Law enters judgment in favor of Plaintiff and  
31 against all Defendants as follows:

32 1. Defendants are to reconvey the deed of trust to  
33 Plaintiff dated April 29, 2008, recorded May 5, 2008, as  
34 Document No. 425520 for real property at 305 Mica Circle,  
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1 Moundhouse, Lyon County, Nevada, APN #19-601-16 more  
2 particularly described as:

3 Lot 33 as shown on the Map of Moundhouse Mobile Home  
4 Subdivision, Unit 3, Phase III, filed in the Office of the  
5 Lyon County Recorder on May 16, 1991, File No. 141525.

6 2. Defendants are to credit to Plaintiff \$1,187.38 paid  
7 to TBW as a credit on Plaintiff's note dated May 18, 2009.

8 3. Plaintiff is to execute a substitute promissory note  
9 and deed of trust for the same terms as the note and deed of  
10 trust effective May 18, 2009, if Defendants cannot locate the  
11 original documents signed by Plaintiff in May of 2009.

12 4. The Trustee's Deed dated September 20, 2010, and  
13 recorded on September 27, 2010, as Document No. 465549 with  
14 the Lyon County, Nevada Recorder is declared void and of no  
15 legal validity.

16 5. Defendants are to forthwith prepare and submit to  
17 Plaintiff an accounting showing credits and payments due from  
18 May 18, 2009, to present on the May 18, 2009 note. Plaintiff  
19 shall have 10 days from receipt of said accounting to file  
20 objections with the Court as to inaccuracies after  
21 consultation with Defendants' attorneys. The accounting shall  
22 not include late charges or penalties and shall indicate the  
23 amount necessary to bring the May 18, 2009 note current  
24 reflecting the amount and date of the next monthly payment,  
25 the amount of arrearages applied to principal and interest,  
26 and the unpaid balance on the May 18, 2009 note after payment  
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1 of the arrearages. Plaintiff shall have 30 days to pay at  
2 least \$10,000 of the arrearages and 90 days to pay the  
3 balance.

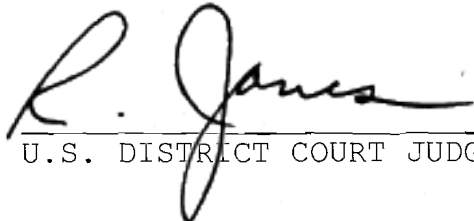
4 6. Defendants shall pay Plaintiff \$1,435.67 as costs as  
5 indicated on Plaintiff's Bill of Costs.

6 7. Defendants shall pay \$60,000 to Plaintiff's  
7 attorneys Smith and Harmer, Ltd. as attorney's fees pursuant  
8 to NRS 18.010(2)(a). Smith and Harmer, Ltd. shall disburse to  
9 Plaintiff \$10,000 of said fees and Plaintiff shall pay said  
10 \$10,000 to Defendants toward Plaintiff's arrearages on the May  
11 18, 2009 note pursuant to paragraph 5 above. Said \$60,000  
12 attorney's fees shall be paid forthwith to enable Plaintiff to  
13 meet his obligation in paragraph 5 above.

14 8. A certified copy of this Judgment is to be recorded  
15 with the Lyon County, Nevada Recorder.

16 SO ORDERED this 7th day of November, 2013.

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U.S. DISTRICT COURT JUDGE